BILL NO. G-84-11-2/ 1 SPECIAL ORDINANCE NO. G- 35-84 2 AN ORDINANCE adding a chapter to the 3 Municipal Code of the City of Fort Wayne, Indiana, dealing with sign 4 and awning requirements for the Calhoun 5 Street Mall. WITNESSETH: 6 WHEREAS, the City has developed the Calhoun Street Mall 7 in furtherance of its efforts to enhance and upgrade the Calhoun 8 Street shopping environment and to beautify and improve downtown 9 10 Fort Wayne; WHEREAS, so that there may be adequate business identi-11 fication and advertising for businesses within the Calhoun Street 12 Mall in a fashion that protects property values, preserves archi-13 tectural integrity and enhances the physical appearances of the 14 areas, a sign and awning ordinance is necessitated; and 15 WHEREAS, such a sign and awning ordinance shall become 16 part of the Municipal Code so that proper and uniform enforcement 17 may be accomplished. 18 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF 19 THE CITY OF FORT WAYNE, INDIANA: 20 There is hereby added to the Municipal Code of the City 21 of Fort Wayne, Chapter 3.5 entitled "Calhoun Street Sign and Awning 22 Ordinance." Said ordinance is as follows: 23 CALHOUN STREET MALL SIGN AND AWNING ORDINANCE 24 Sections: 25 Purpose and Intent 3.5-1: 26 Applicability 3.5-2: Establishment of Sign District and Design 3.5-3: 27 Criteria Definitions 3.5-4: 28 3.5-5: Sign Classification and Design Criteria 3.5-6: Non-Conforming Signs
3.5-7: Certificate of Approval 29 3.5 3.5-8: Sign Review Board 30 Enforcement 3.5-9: Penalties 3.5-10: 31 3.5-11: Severability

Page Two

SECTION 3.5-1 - Purpose and Intent

The purpose of this Ordinance is to promote the public health, safety, and welfare of the citizens of Fort Wayne by establishing standards and regulations for signs within the Calhoun Street Sign District boundaries as referenced in Section 3.5-3 hereof. It is the intent of this Ordinance to provide for adequate business identification, advertising, and communication while creating a more positive economic and business environment through the protection of property values, the preservation of architectural integrity of the buildings, and the enhancement of the physical appearance of the area.

SECTION 3.5-2 - Applicability

All signs within the Calhoun Street Sign District shall be governed by the standards and regulations set forth in this Ordinance.

SECTION 3.5-3 - Establishment of Sign District

The area of Calhoun Street between Berry Street and Washington Street shall be known as the Calhoun Street Sign District.

The boundaries of this District shall be more particularly described as follows:

Subdivision 1, 2, 3, 4, 5, 6 of Lot 106, lots 107, 108, 128, 129, 130, 131, and the east 20 feet of lot 132, 167, 168, 188, 189 and 190 of Original Plat; lots 1, 2, 3, 4, 5, 6, 7 of Wolke's Subdivision; lots 1, 2, 3, 4, 5, 6, 7, 8 of Schmitt's Subdivision and shall extend to the centerline of all contiguous public right-of-way of said lots. See attached map made a part hereof.

SECTION 3.5-4 - Definitions

For the purpose of this ordinance, the following words and terms are defined:

A. "Awning" - A rooflike cover extending before a building that is not permanently affixed to the building.

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Page Three

B. "Certificate of Approval" - A document showing that a sign proposal has met the Sign Review Board's approval.

- C. "Sign" Any name, identification, description, display, logo, or symbol which is affixed to, hung on, painted, represented directly or indirectly upon a building (including a window/door area) or structure which is in view of the general public and which directs attention to a person, place, product, activity, institution, organization, or business. Included within the definition of sign are the following types of signs:
 - (1) Awning Sign Any sign which is located on an awning.
 - (2) <u>Banner Sign</u> Any sign made of lightweight material either enclosed or not enclosed in a rigid frame, which may allow the movement of the sign by the air.
 - (3) <u>Building Identification Sign</u> Any sign which states only the name of the building itself and is an integral part of the architecture.
 - (4) Business Identification Sign Any sign which identifies the person, the establishment, the principal product and/or service available at a business.
 - (5) Construction Sign Any sign giving the name(s) of architects, contractors, financiers, and others responsible for the construction on the site where the sign is placed.

(6)	Copyrighted Signs - Any sign offering in	n-
	formation or incidental services such a	S

VISA, MasterCard, AAA, FSLIC, etc.

(7) <u>Directory Sign</u> - Any sign on which the names and locations of occupants is given.

- (8) Freestanding Sign- Any sign which is not attached to a building but is supported on poles, frames, or other similar structures. The sign may or may not be portable.
- (9) Off-Premise Sign Any sign located on premises other than those of the business or activity it is intended to describe or identify.
- (10) Permanent Sign Any sign intended to be erected and maintained for more than thirty (30) days.
- (11) Projecting Sign Any sign which projects
 from and is supported by, or attached to,
 a wall, roof, or canopy of a building.
- (12) Real Estate Sign Any sign which is used to offer for sale or lease the property upon which the sign is located.
- (13) Roof Sign Any sign erected entirely upon or over the roof of any building and supported solely on the roof structure.
- (14) Temporary Sign Any sign that is erected and maintained for not more than thirty (30) days, except for temporary business identification signs which shall be allowed for sixty (60) days.
- (15) Trademark Sign Any sign which shows registered trademarks or portrayals of specific commodities.

Page Five

32

- (16) Wall or Flat Sign Any sign attached to and erected parallel to the building face. This includes individual letters applied to the building face.
- (17) Window/Door Sign Any permanent sign painted, gold-leafed, or attached onto the glass area or installed behind a window for viewing through the window from the outside of the premises.

SECTION 3.5-5 - Sign Classification and Design Criteria

- A. Permitted Signs No Certificate of Approval Necessary.
 - (1) <u>Building Identification Signs</u> One sign per building provided the sign does not exceed three (3) square feet in area.
 - (2) Construction Signs One sign per building or site which is under construction, structural alteration, or repair provided the sign shall not exceed nine (9) square feet in area. Signs shall be removed within seven (7) days after completion of construction, structural alteration, or repair.
 - (3) Copyrighted Signs These shall be aggregated together and placed in an unobtrusive location on a window or door area of a business.
 - (4) <u>Plaques</u> Commemorative or historial plaques not to exceed three (3) square feet in area.
 - (5) <u>Public Signs</u> Commemorative or historical plaques not to exceed three (3) square feet in area.
 - (6) Real Estate Signs One sign per property for sale, rent, lease, or exchange of property not to exceed nine (9) square feet in area.

Page Six

Signs shall be removed within seven (7) days of agreement concerning sale, rent, lease, or exchange of property.

(7) Temporary Signs -

- (a) Special Event Non-electric temporary signs easels, etc., for use during a special Mall-wide event such as an art show, bargain days or the like shall be allowed only during the event or sale. Signs must be constructed in a sturdy fashion and placed so as not to impede pedestrian circulation.

 Signs must be taken inside at the end of each business day during the event.
- (b) Window Signs and Displays Any sign/
 display temporarily attached to a
 window and displayed to call attention
 to a temporary sale of merchandies,
 change in status of business, grand
 opening, or the like.
- temporary sign erected while a business is undergoing construction or renovation which prohibits placement of a permanent sign until a later date. The temporary sign may not exceed the anticipated size of the permanent sign. If a temporary business identification sign should remain longer than sixty (60) days, a Certificate of Approval shall be required.

Page Seven 1 Permitted Signs - Certificate of Approval В. 2 Necessary. 3 A Certificate of Approval is required for (1)4 all signs not permitted by Section 3.5-5-A 5 and not prohibited by Section 3.5-5-C. (2) Permitted signs shall only identify the 7 person, the establishment, the principal 8 product, and/or service available on the 9 premises which contains the sign. 10 Illumination of signs is permitted. Light-(3) 11 ing source, design, and placement shall be 12 compatible with the sign and business type. 13 (4) Wall or Flat Signs shall meet the following 14 criteria: 15 (a) One permanent sign per establishment 16 unless the business is located on a 17 corner lot, then one sign per street 18 frontage. 19 The sign shall not protrude more than (b) 20 twelve (12) inches from the building 21 face. 22 (c) The sign shall be compatible with the 23 architectural detailing (such as win-24 dows, pilasters, cornices, decorative 25 work) of the building on which it is 26 located. 27 Where a signboard area exists, the sign 28 shall be placed on the signboard area 29 between the ground floor and second 30 story. 31 32

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Page Eight

- (e) Businesses on upper floors shall be limited to a non-luminous wall sign not to exceed four (4) square feet in area.
- (5) Window/Door Signs shall meet the following criteria:
 - (a) One permanent sign shall be allowed per window or door.
 - (b) The area of a permanent window sign will be limited to twenty-five (25) percent of each window area, except in the case of a door sign which may be fifty (50) percent of the glass area.
- (6) Awnings and Awning Signs shall meet the following criteria:
 - (a) Awnings shall be made of canvas, vinylcoated canvas, woven acrylic, or other suitable outdoor fabric. Metal, plastic, or other rigid materials are prohibited unless an integral part of the original design of the building.
 - (b) Signs must be painted, printed, stamped upon, or otherwise made integral to the awning.
 - (c) The lower edge of any awning shall be at least seven (7) feet above the sidewalk.
 - (d) An awning or awning sign shall not project more than six (6) feet from the building facade.

1	Page Nin€	
2	(7)	Directory Signs shall meet the following
3		criteria:
4		(a) One permanent sign per building.
5		(b) The sign shall be flush-mounted and
6		no larger than four (4) square feet.
7	C. Prob	nibited Signs
8		The following sign types are prohibited by
9	this	Ordinance in the Calhoun Street Sign District:
10	(1)	Projecting Signs.
11	(2)	Roof signs.
12	(3)	Billboards and other off-premise signs.
13	(4)	Free-standing signs, except as part of a
14		special event.
15	(5)	Signs that are painted directly on a build-
16		ing surface.
17	(6)	Blinking, flashing, or moving signs other
18		than barber poles.
19	(7)	Banner Signs, except those that are an
20		integral part of the Mall's banner pylons.
21	(8)	Obsolete signs - Any sign which advertises
22		or relates to a business no longer on the
23		premise shall be required to be removed
24		within one month of the time the business
25		vacates the building. The owner of the
26		building shall be responsible for accom-
27		plishing this.
28	(9)	Trademark signs, unless the trademark re-
29		presents the principle product or service
30		sold or conducted on the premises.
31	SECTION 3.5-	6 - Non-Conforming Signs
32	A. <u>Leg</u>	al Non-Conforming Signs - Any sign located
	wit	hin the Calhoun Street Sign District on the

effective date hereof is permitted to remain provided the sign was authorized by any necessary permits or a variance prior to the date of the passage of this Ordinance, if one was required under any other applicable law.

- B. Loss of Legal Non-Conforming Status Not withstanding Section 3.5-6-A, a sign that is prohibited by this ordinance or that does not conform to the standards set forth in this ordinance shall immediately lose its legal status if:
 - (1) The sign is altered in any way in structure or copy (except for changeable copy signs and normal maintenance).
 - (2) The sign is relocated.
 - (3) The sign is replaced.
 - (4) The sign has not been repaired or properly maintained within one month after notice to that effect has been given by the Director of Community Development and Planning or a designated representative.

SECTION 3.5-7 - Certificate of Approval

- A. All signs within the Calhoun Street Sign District that were not affixed to buildings on the effective date of this Ordinance shall require a Certificate of Approval unless they are exempt under Section 3.5-6-A. Furthermore, a Certificate of Approval is required before:
 - (1) An existing sign can be altered or relocated.
 - (2) A new sign can be constructed and installed.

Page Eleven

- B. Application Prodecure Application for a Certificate of Approval shall be made to the Department of Community Development and Planning. The application shall be forwarded to the Sign Review Board for consideration at the next regularly scheduled meeting. To help the Board in reviewing the application, the applicant shall submit the following:
 - (1) Plans showing the placement of the sign on the building on which it will be located.
 - (2) A rendering of the sign drawn to scale showing the area, dimensions, materials, color, and character of the sign.
 - (3) A photograph showing the building in which the sign will be located and the neighboring buildings.
 - (4) A cross-section showing the method of fastening or supporting the sign.
 - (5) In the case of an awning or awning sign,
 the vertical distance between the awning and
 the sidewalk, and the horizontal distance
 from the outside edge of the awning to the
 building facade must be shown.
- C. Review of Application In reviewing the application, the Sign Review Board shall consider the following:
 - (1) The compliance of the sign with the provisions of this Ordinance.
 - (2) The clarity and legibility of the sign's message.

Page Twelve

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The relationship and compatibility of the (3) sign with the character of the building on which it will be located.

- The relationship and compatibility of the (4) sign with adjacent structures and public spaces.
- Approval of Application. Once the sign application has been reviewed and approved by the Sign Review Board, a Certificate of Approval will be issued. An approval may be limited by conditions that the Board deems necessary to carry out the intent of this Ordinance.
- Denial of Application. If the Board denies a Ε. sign application, a Certificate of Approval will not be issued. The Board must state its reasons in writing and advise the applicant.

SECTION 3.5 - Sign Review Board

Creation - A Sign Review Board is hereby created and established by this Ordinance. The word "Board" when used in this section shall be construed to mean the Sign Review Board.

Membership В.

The Board shall consist of five (5) members appointed by the Mayor. Members shall be residents of the City of Fort Wayne or property owners and/or tenants within the Calhoun Street Sign District. One member shall also be a member of the Fort Wayne City Plan Commission, two members shall own or lease property within the Calhoun Sign District, and two members-at-large

Page Thirteen 1 shall be knowledgeable in sign design, 2 graphic arts, or a related field. No member 3 shall be employed by the City of Fort Wayne. 4 Terms of Board members shall be staggered (2) 5 as follows: two (2) members for three (3) 6 years, two (2) members for two (2) year terms, and one (1) member for one (1) year 8 commencing on 9 expiring on 10 Thereafter, voting members shall each serve 11 for a term of three (3) years. A vacancy 12 shall be filled through appointment by the 13 Mayor only for the unexpired duration of the 14 term. 15 Members of the Board shall serve without (3) 16 compensation. 17 Organization C. 18 The Board shall elect from its members a 19 chairman, and vice-chairman, who shall serve 20 for one (1) year and may be re-elected. 21 (2) The Board shall hold regular meetings, at 22 least monthly, except when it has no busi-23 ness pending. Special meetings may be 24 called in a manner determined by the Board 25 in its rules. 26 Technical assistance to the Board shall be (3) 27 provided by the Department of Community De-28 velopment and Planning. 29 All meetings of the Board shall be open to 30 the public and a public record of the Board's 31 resolutions, proceedings, and actions shall 32

be kept.

Page Fourteen

- (5) The Board shall adopt rules consistent with this ordinance for the transaction of its business. The rules shall include, but not be limited to, the following:
 - a. time and place of regular meetings
 - b. a procedure for the calling of special meetings.
 - (6) An official action of the Board shall require a consensus of a majority of its members. A quorum of three (3) members must be present for the Board to take action.
 - (7) Any person or party aggrieved by a decision or action taken by the Board shall be entitled to a review by the Common Council of the City of Fort Wayne.
- D. Powers of the Board The Board shall have the power and duty to hear and decide sign proposals within the Calhoun Street Sign District. The Board shall be concerned with those elements of sign design and installation as set forth in this Ordinance and the Design Manual adopted by the Board.

SECTION 3.5-9 - Enforcement

It shall be the duty of the Director of Community

Development and Planning or a designated representative to report

possible violations hereof to the City Attorney.

SECTION 3.5-10 - Penalties

Any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars

(\$300.00) for each offence. Each day of the existence of any violation of this Chapter shall be a separate offence.

SECTION 3.5-11 - Severability

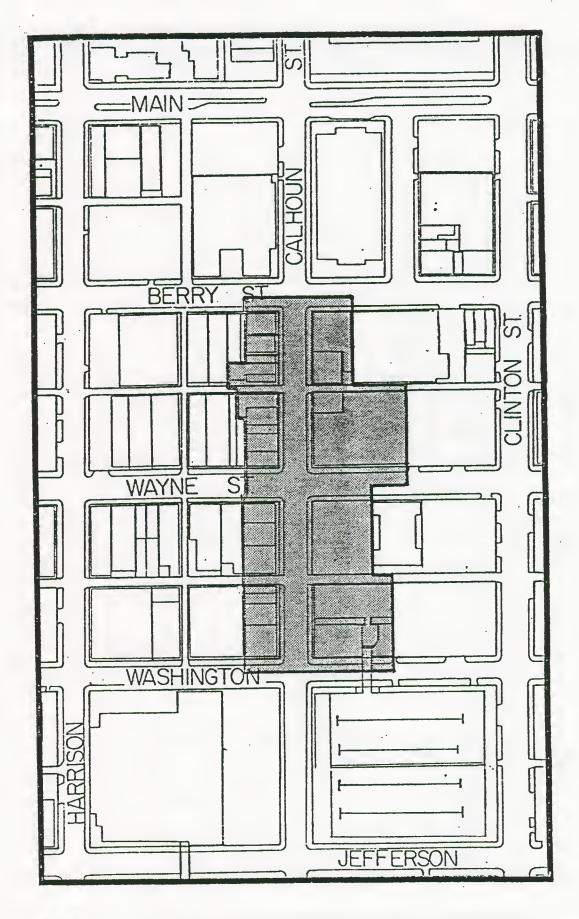
If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION 3.5-12. This Ordinance shall be in full force and effect upon passage and approval by the Mayor, and legal publication thereof.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM

Bruce O. Boxberger, City Attorney



CALHOUN STREET SIGN DISTRICT

FACT SHEET

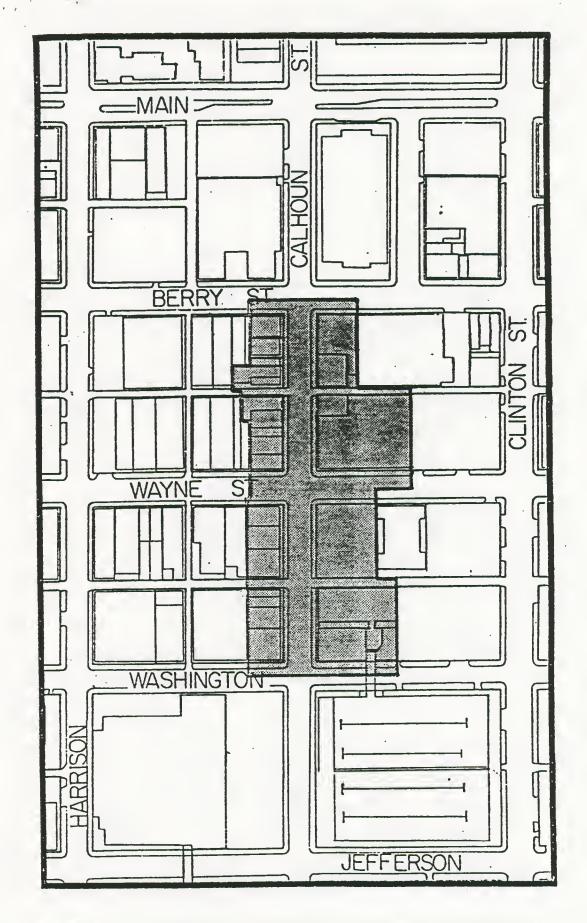
Division of Community Development & Planning

BILL WUMBER

rdinance		
ETAILS	POSITIONS	RECOMMENDATIONS
Specific Location and/or Address	Sponsor Division of Community	
Calhoun Street between Washington and Berry Streets	Dev. & Plannin	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Area Affected	City Wide
eason for Project	Calhoun St.	
The purpose of this ordinance is to establish	between Berry St. and	Other Asses
standards and regulations for signs within	Washington	Other Areas
the Calhoun Street Sign District Boundaries.	Blvd.	
The intent is to provide for adequate busi- ness identification, advertising, and commun-		
cation while protecting property values,		
preserving the architectural integrity of the		
puildings, and the enhancing of the physical appearance of the area.	Applicants/ Proponents	Applicant(s) Norman A. Abboti
		City Department Community Development and Planning
		Other Calhoun Street Merchants
Discussion (Including relationship to other Council actions)	Opponents	Groups or Individuals
		Basis of Opposition
	Staff Recommendation	X For Against Reason Against
	Board or Commission Recommendation	By N/A
		For Against No Action Taken For with revisions to condition (See Details column for condition
	CITY COUNCIL ACTIONS	Pass Other Pass (as Hold
	(For Council use only)	amended) Council Sub. Do not p

ILS	POLICY/PROGRAM IMPACT		
		Policy or Program Change	No Yes
		Operational Impact Assessment	
		(This s	space for further discussion)
Project Start Projected Completion or Occupancy	Date Date		
Fact Sheet Prepared by	Date		
Reviewed by	Date		
Reference or Case Number			

Read the seconded by	first time in	full and	on motion by_	Brad the s	buces,
by title and refer:	red to the Co	ommittee	Belgulales	(2	and the City
Plan Commission for due legal notice,	at the Counci	il Chambers	, City-County	Building,	Fort Wayne,
Indiana, on		_, the, , 19 ,	aţ	/o'clock	_day of cM.,E.S.
	11-13-84	/	Sandra .	L. Lenn	edy.
, DATE	7		SANDRA E. KENI	NEDY, CITY	CLERK
Read the	third time in	n full and	on motion by	Dred	tury,
seconded by passage. PASSED	(LOST) by	the follow	and duly ador	pted, plac	sed on its
			ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	9				
BRADBURY	· -				
BURNS					
EISBART					
GiaQUINTA					
HENRY					
REDD					
SCHMIDT		·			
STIER	<u>_</u> _				
TALARICO	<u> </u>				
DATE:	11-27-84		SANDRA E. KENT		
Passed an	d adopted by	the Common	Council of t	he City o	f Fort
Wayne, Indiana, as				ENERAL)	
(SPECIAL) (ZONIN					
on the 27	th day	of 7	brender		19 84,
ATT	EST:	((SEAL)		
Sandra F.	: Lennedy		Day-	90	2 1-
SANDRA E. KENNEDY,	CITY CLERK		PRESIDING OFF	ICER	021/
Presented	by me to th	e Mayor of	the City of F	ort Wayne	, Indiana,
on the	gth day	of	o rember		19 \$ 4 ,
at the hour of	11.30	<u> </u>	ekM	.,E.S.T.	•
•			Sandra	E. Len	enedy
			SANDRA E. KEN	•	
Approved	and signed b	y me this	ag day of	novemb	u,
19_84 , at the	hour of	1100	o'clock	.M.,E	.S.T.
				R	
			WIN MOSES, JR	. MAYOR	



CALHOUN STREET SIGN DISTRICT

FAUI	SHEE

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE Calhoun Street APPROVAL DEADLINE REASON Mall Sign and Awning Ordinance RECOMMENDATIONS DETAILS **POSITIONS** Sponsor Division Specific Location and/or Address of Community Calhoun Street between Washington and Berry Dev. & Planning Streets Area Affected City Wide Calhoun St. Reason for Project between The purpose of this ordinance is to establish Berry St. and Other Areas standards and regulations for signs within Washington the Calhoun Street Sign District Boundaries. Blvd. The intent is to provide for adequate business identification, advertising, and communication while protecting property values, preserving the architectural integrity of the Applicants/ Applicant(s) buildings, and the enhancing of the physical Norman A. Abbott **Proponents** appearance of the area. City Department Community Development and Planning Other Calhoun Street Merchants Groups or Individuals Discussion (Including relationship to other Council actions) Opponents Basis of Opposition Staff x For Against Recommendation Reason Against Board or N/A Commission Recommendation For ☐ Against No Action Taken For with revisions to condition (See Details column for condition Pass Other CITY COUNCIL **ACTIONS** Hold Pass (as (For Council amended) use only) Do not pas Council Sub.

ETAILS		POLICY/PROGE	POLICY/PROGRAM IMPACT		
		Policy or Program Change	□ No □ Yee		
		Operational Impact Assessment			
		(This	space for further discussion)		
Project Start	Date				
Projected Completion or Occupancy	Date				
Fact Sheet Prepared by	Date				
Reviewed by	Date				

Reference or Case Number



BILL NO
REPORT OF THE COMMITTEE ON REGULATIONS
WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE adding a chapter to the Municipal Code of the City of
Fort Wayne, Indiana, dealing with sign and awning requirements for the
· Calhoun Street Mall
• •
HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS. JANET G. BRADBURY, CHAIRWOMAN Junt M. Bradbury
SAMUEL J. TALARICO, VICE CHAIRMAN
CHARLES B. REDD
MARK E. GiaQUINTA Mask C. Guadunta
JAMES S. STIER
CONCURRED IN 11-27-84 SANDRA E. KENNEDY, CITY CLERK

Admn.	appr.	
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DIGEST SHEET

DIGEST SHEET
TITLE OF ORDINANCE Calhoun Street Sign and Awning Ordinance 984/1-2)
DEPARTMENT REQUESTING ORDINANCE Community Development and Planning
SYNOPSIS OF ORDINANCE The purpose of this ordinance is to establish standards
and regulations for signs within the Calhoun Street Sign District Boundaries.
The intent is to provide for adequate business identification, advertising,
and communication while protecting property values, preserving the archi-
techural integrity of the buildings, and the enhancing of the physical
appearance of the area.
EFFECT OF PASSAGE The sign ordinance promotes the use of high quality
sign materials, appropriate sign placement, and the use of good sign
design principles. Well designed signs play a vital role in the city's
efforts to enhance and upgrade the Calhoun Street shopping environment.
EFFECT OF NON-PASSAGE Many, many undesirable signs could concievably
be erected, creating an unsightly hodgepodge that works against the
efforts to upgrade the shopping environment.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)
(ASSIGN TO COMMITTEE (J.N.)



The City of Fort Wayne

December 4, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of December 7 and December 14, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. G-84-11-21 Signs and Awning Requirements

Please send us 4 copies of the Publisher's Affidavit from both newpapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 1

mu 1000 3

LEGAL NOTICE

Not	ice is hereby given that on the27th day of
	November , 19 84 , the Common Council of the City
of I	Oit wayne, Indiana in a
the	following Bill No. G-84-11-21
1	nance No. G-35-84 to-wit:
2	SPECIAL ORDINANCE NO. G- 35-84
3	AN ORDINANCE adding a chapter to the
4	Municipal Code of the City of Fort Wayne, Indiana, dealing with sign
5	and awning requirements for the Calhoun Street Mall.
б	WITNESSETH:
7	
8	WHEREAS, the City has developed the Calhoun Street Mall
9	in furtherance of its efforts to enhance and upgrade the Calhoun
	Street shopping environment and to beautify and improve downtown
10	Fort Wayne;
11	WHEREAS, so that there may be adequate business identi-
12	fication and advertising for businesses within the Calhoun Street
13	Mall in a fashion that protects property values, preserves archi-
14	tectural integrity and enhances the physical appearances of the
15	areas, a sign and awning ordinance is necessitated; and
16	WHEREAS, such a sign and awning ordinance shall become
17	part of the Municipal Code so that proper and uniform enforcement
18	may be accomplished.
19	NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
20	THE CITY OF FORT WAYNE, INDIANA:
21	There is hereby added to the Municipal Code of the City
22	of Fort Wayne, Chapter 3.5 entitled "Calhoun Street Sign and Awning
23	Ordinance." Said ordinance is as follows:
24	CALHOUN STREET MALL SIGN AND AWNING ORDINANCE
25	Sections:
26	3.5-1: Purpose and Intent
27	3.5-2: Applicability 3.5-3: Establishment of Sign District and Design
28	Criteria 3.5-4: Definitions
29	3.5-5: Sign Classification and Design Criteria 3.5-6: Non-Conforming Signs
30	3.5-7: Certificate of Approval 3.5-8: Sign Review Board

Page Fifteen 1 (\$300.00) for each offence. Each day of the existence of any viola-2 tion of this Chapter shall be a separate offence. 3 SECTION 3.5-11 - Severability 4 If any section, clause, provision, or portion of this 5 Ordinance is adjudged unconstitutional or invalid by a court of 6 competent jurisdiction, the remainder of this ordinance shall not 7 be affected thereby. 8 This Ordinance shall be in full force SECTION 3.5-12. 9 and effect upon passage and approval by the Mayor, and legal pub-10 lication thereof. 11 12 13 1 / Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote: Ayes: Bradbury, burns, Eisbart, GiaQuinta, Henry, Redd, Schmidt, Stier, Talarico Nays: None Date: 11-27-84 Sandra E. Kennedy City Clerk Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-35-84 on the 27th day of November, 1984. ATTEST: (SEAL) Sandra E. Kennedy Ben A. Eisbart City Clerk Presiding Officer Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1984, at the hour of 11:30 o'clock A.M., E.S.T. Sandra E. Kennedy City Clerk Approved and signed by me this 29th day of November, 1984, at the hour of 11:00 o'clock A.M., E.S.T. Win Moses, Jr. Mayor I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Ordinance No. G-35-84 General passed by the Common Council on the 27th day of

, 19 84 , and that said Ordinance was

November

duly signed and approved by the Mayor on the

Fort Wayne Common Council

(Governmental Unit)

Allen

COMPUTION OF CHARGES

DATA FOR COMPUTING COST

Pursuant to the provision and penalties of

Notice is hereby given that on the 27th day of November, 1984, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-84-11-21 - General Ordinance No. G-35-84 to-wit:

BILL NO. G-84-11-21

SPECIAL ORDINANCE NO. G-35-84

AN ORDINANCE adding a chapter to the Municipal Code of the City of Fort Wayne, Indiana, dealing with sign and awning requirements for the Calhoun Street Meil.

sign and awning requirements for the Calhoun Street Meil.

WITNESSETH:
WHEREAS, tha City has developed the Calhoun Street Mali in furtherance of its efforts to enhence and upgrade the Calhoun Street shopping environment end to beautify and improve downtown Fort Wayne; WHEREAS, so that there may be adequete business identification and advertising for businesses within the Calhoun Street Mall in a fashion thet protects properly values, preserves architecture intagrity and enhances the physical appearanca of the areas, a sign end awning ordinance is necessitated; and WHEREAS, such a sign and awning ordinance shall become part of the Municipal Code so that proper and uniform enforcement may be accomplished.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

There is hereby added to the Municipal Code of the City of Fort Wayne, Chapter 3-5 entitled "Calhoun Street Sign and Awning Ordinance." Said ordinance is as follows:

CALHOUN STREET MALL SIGN AND AWNING ORDINANCE

actions: 3.5-1: Purpose and Intent 3.5-2: Applicability 3.5-3: Establishment of Sign District and Design

3.5-2: Applications,
3.5-3: Establishment of Sign District and Design
Criteria
3.5-4: Definitions
3.5-5: Sign Classificetion and Design Criteria
3.5-5: Sign Classificetion and Design Criteria
3.5-6: Non-Conforming Signs
3.5-7: Certificate of Approvel
3.5-8: Sign Review Board
3.5-9: Enforcement
3.5-10: Peneities
3.5-11: Severability
SECTION 3.5-1 - Purpose and Intant
The purpose of this Ordinance is to promote the public haalth, safety, and welfare of the citizens of Fort Weyne by establishing standards and regulations for signs within the Calhoun Street Sign District boundaives as referenced in Section 3.5-3 hereof, it is the intent of this Ordinance to provide for adequate business identification, advertising, and communication while creating a more positive economic and business environment through the protection of property values, the preservation of architectural integrity of the buildings, end the enhancement of the physical appearance of the area.

SECTION 3.5-2 - Applicability

nhancement of the physical appearance of the ea.

SECTION 3.5-2 - Applicability
All signs within the Calhoun Street Sign District shall a governad by the standards and ragulations set forth this Ordinence.

SECTION 3.5-3 - Establishment of Sign District The area of Calhoun Street between Berry Street and Washington Street shall be known as the Calhoun treet Sign District. The boundaries of this District hall be more particularly described as follows:
Subdivision 1, 2, 3, 4, 5, 6 of Lot 106, iots 107, 108, 28, 129, 130, 131, and the east 20 feat of iot 132, 167, 68, 188, 189 and 190 of Original Plat; lots 1, 2, 3, 4, 5, 7 of Wolkey's Subdivision, lots 1, 2, 3, 4, 5, 6, 7, 8 of chmitt's Subdivision and shall extend to the

..... County, IN

To JOURNAL-GAZETTE Dr. P.O. BOX 100 FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines 462

00

125

Tail number of line

465

Total number of

centerline of all contigious public right-of-way of said iots. See attached map made a part hereof.

SECTION 3.5-4 - Definitions
For the purpose of this ordinance, the following words and terms are defined:

A. "Awning" - A rooflike cover extending before a building that is not permanently affixed to the building.

B. "Certificate of Approval" - A document showing that a sign proposal has met the Sign Review Board's approval.

C. "Sign" - Any name, identification, description, display, logo, or symbol which is affixed to, hung on, painted, represented directly or indirectly upon a building (including a window/door area) or structure which is in view of the general public and which directs attention to a person, place, product, activity, institution, organization, or business. Included within the definition of sign are the following types of signs:

(1) Awning Sign - Any sign which is located on an

cents per line
cents

to describe or identify.

(10) Permanent Sign - Any sign intended to be erected and meintained for more than thirty (30) deys.

(11) Projecting Sign - Any sign which projects from and is supported by, or attached to, a wall, roof, or cenopy of a building.

(12) Real Estate Sign - Any sign which is used to offer for saie or lease the property upon which the sign is located.

(13) Roof Sign - Any sign erected entirely upon or over the roof of any building and supported solely on the roof structure.

(14) Temporary Sign - Any sign that is erectad and maintained for not more then thirty (30) days, except for temporary business identification signs which shall be allowed for sixty (60) days.

(15) Trademark Sign - Any sign which shows registared trademarks or portrayais of specific commodities.

(18) Wall or Flat Sign - Any sign attached to and erected parallel to the building face. This includes individual letters applied to the building face.

(17) Window/Door Sign - Any permanent sign painted, gold-leafed, or attached onto the glass area or installed behind a window for viewing through the window from the outside of the premises.

SECTION 3.5-5 - Sign Classification and Design Criteria

A. Permitted Signs - No Certificate of Approval

window from the cutsitud of this process.
SECTION 3.5-5 - Sign Classification and Design Criteria
A. Permitted Signs - No Certificate of Approval Necessary.
(1) Building Identification Signs - One sign per building provided the sign does not exceed three (3) square feet in area.
(2) Construction Signs - One sign per building or site which is under construction, structural alteration, or repair provided the sign shall not exceed nine (9) square feet in area. Sign shall be removed within seven (7) days after completion of construction, structural elteration, or repair.
(3) Copyrighted Signs - These shall be aggregated together and placed in an unobtrusive locetion on a window or door area of a business.
(4) Placques - Commemorative or historical plaques not to exceed three (3) square feet in area. (5) Public Signs - Commemorative or historical placques not to exceed three (3) square feet in area.
(6) Real Estate Signs - One sign per property for

(5) Public Signs - Commemorative or historical placques not to exceed three (3) square feet in area.

(6) Real Estate Signs - One sign per property for sale, rent, lease, or exchange of property not to exceed nine (9) square feet in area. Signs shall be removed within seven (7) days of agreement concerning sale, rent, lease, or exchange of property.

(7) Temporary Signs
(a) Special Event - Non-electric tamporary signs easels, etc., for use during a speciel Mali-wide event such as an art show, bargain days or the like shall be allowed only during the event or sale. Signs must be constructed in a sturdy fashion and placed so as not to impede pedestrian circulation. Signs must be taken inside at the end of each business day during the event.

(b) Window Signs and Displeys - Any sign/display temporarily attached to a window and displayed to call ettention to a temporary sale of merchandise, change in status of business, grand opening, or the like.

(c) Business Identification Sign - Any temporary sign erected while a business is undergoing construction or renovetion which prohibits placement of a permanent sign until a later date. The lemporary sign may not exceed the anticipated size of the permanent sign. If a temporary business identification sign should remain longer than sixty (60) days, a Certificate of Approval shall be required.

B. Permitted Signs - Certificate of Approval Necessary.

(1) A Certificate of Approval is required for elisigns

B. Permitted organis
Necessary.
(1) A Certificate of Approval is required for ell signs
not permitted by Section 3.5-5-A and not prohibifed
by Section 3.5-5-C.
(2) Permitted signs shall only identify the person,
the establishment, the principal product, and/or
service available on the premises which contains the

sign.

(3) Illumination of signs is permitted. Lighting source, design, and piacement shail be compatible with tha sign and business type.

(4) Wall or Fiat signs shall meet the following

(4) Wall or Flat signs shall meet the ronowing criteria:

(a) One permanent sign per establishment unless the businass is located on a corner lot, then one sign per street frontage.

(b) The sign shall not protrude more than twelve (12) inches from the building face.

(c) The sign shall be compatible with the architectural detailing (such as windows, pilasters, cornices, decorative work) of the building on which it is located.

(d) Where a signboard area exists, the sign shall be placed on that sign board area between the ground floor and second story.

(a) Businesses on upper floors shall be limited to a non-luminous wall sign not to exceed four (4) square feet in area.

(5) Window/Door Signs shall meet the following criteria:

(5) Window/Door Signs shall meet the following criteria:

(a) One permanent sign shall be allowed per window or door.

(b) The area of a permanent window sign will be limited to twenty-five (25) percent of each window area, except in the case of a door sign which may be fifty (50 percent of the glass area.

(6) Awnings and Awning Signs shall meet the following criteria:

(a) Awnings shall be made of canvas, vinyi-coated canvas, woven acrylic, or other suitable outdoor fabric. Metal, plastic, or other rigid materials are prohibited unless an integral part of the original design of the building.

(b) Signs must be painted printed expressions.

building.

(b) Signs must be painted, printed, stamped upon, or otherwise made integral to the awning.

(c) The lower edge of any awning shall be at least sevan (7) faet above the sidewalk.

(d) Anawning or awning sign shall not project more than six (6) feet from the building facade.

(7) Directory Signs shall meet the following critaria:

critaria:

(a) One permanent sign per building.
(b) The sign shall be flush-mounted and no largar than four (4) square feet.
C. Prohibited Signs
(1) Projecting Signs.
(2) Roof signs.
(3) Billboards end other off-premise signs.
(4) Free-standing signs, axcept as part of a special event.

(5) Signs that are painted directly on a building surface.

Blinking, fleshing, or moving signs other then rt of the same

surface.
(6) Blinking, fleshing, or moving signs other and sarber poles,
(7) Banner Signs, except those thet ere an integral part of the Mali's banner pylons.
(8) Obsolete signs - Any sign which advertises or relates to a business no longer on the premise shall be required to be removed within one month of the tima the business vacetes the building. The owner of tha building shall be responsible for accomplishing this.

tima ine pusitiess vacetes the curcing the building shall be responsible for accomplishing this.

(9) Trademark signs, unless the trademark rapresants the principle product or service sold or conducted on the premises.

SECTION 3.5-6 - Non-Conforming Signs A Legal Non-Conforming Signs - Any sign located within the Calhoun Street Sign District on the effective date hareof is permitted to remain provided the sign was authorized by eny necessary permits or a varianca prior to the date of the passage of this Ordinance, if one was required under any other applicable law.

B. Loss of Legal Non-Conforming Status - Not withstending Section 3.5-6-A, a sign that is prohibited by this ordinance or that does not conform to the standards set forth in this ordinance shall immediately lose its lagal status if:

(1) Tha sign is altered in any way in structure or copy (except for changeable copy signs and normal maintanence).

(2) Tha aign is relocated.
(3) The sign is replaced.
(4) Tha sign has not been repaired or properly maintained within one month after notice to that effect has been given by the Director of Community Development and Planning or e designated representativa.

SECTION 3.5-7 - Certificate of Approval

has been given by the Director or Continuity Development and Planning or e designated representativa.

SECTION 3.5-7 - Certificate of Approval A lisigns within the Calhoun Street Sign District that were not affixed to buildings on the effective date of this Ordinance shall require a Certificate of Approval unless they are exempt under Section 3.5-6-A. Furthermore, a Certificate of Approval is raquired before:

(1) An existing sign can be altered or relocated.
(2) A new sign can be constructed and installed.
B. Application Procedure - Application for a Certificate of Approval shall be made to the Dapartment of Community Development and Planning. The application shall be forwarded to the Sign Review Board for consideration at the next ragularly scheduled meeting. To help the Board in reviewing the application, the applicant shall submit tha following:

(1) Plans showing the placement of the sign on tha building on which it will be located.
(2) A rendering of the sign drawn to scale showing the area, dimensions, materials, color, and character of the sign.

(3) A photograph showing the building in which the sign will be located and the neighboring buildings.
(4) A cross-section showing the method of fastening or supporting the sign.
(5) In the case of an awning or awning sign, the vertical distance between the awning and the sidawelk, and the horizontal distance from the outside adge of the awning to the building facade must be shown.

C. Review of Application - In reviewing the application, the Sign Review Board shall consider the following.

shown.

C. Review of Application - In reviewing the application, the Sign Review Board shall consider the following:

following:
(1) The compliance of the sign with the provisions of this Ordinanace.
(2) The clarity and legibility of the sign's

massage.
(3) The relationship and compatibility of the sign

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19...84

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

of	Matter (Must not exceed two actual lines, neithe the type in which the body of the advertiseme	r of which shall total more than four solid lines nt is set) - number of equivalent lines	
Head	number of lines		1
Body	number of lines		462
Tail	sign. (3) Illumination of signs is permitted. Lig source, design, and placement shall be competed with the sign and business type.	with the character of the building on which it will located. (4) The relationship and compatibility of the	il be 2
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COMPUTION OF CH	per street frontage. (b) Tha sign shall not protruda more than tw (12) Inches from the building tace. (c) The sign shall be compatible with architectural detailing (such as windows, pilas cornices, decorative work) of the building on which located.	the application, a Certificate of Approval will not be issuers.	sign ued.
4.6	(d) Where a signboard area exists, the sign shat placed on the signboard area between the grounds and second story. (e) Businesses on upper floors shall be limited non-luminous wall sign not to exceed four.	Il be loor A. Creation - A Sign Review Board A. Creation - A Sign Review Board is hereby created and astablished by this Ordinance. The word "Boe when used in this ordinance.	s. 209.25
Addition	(5) Window/Door Signs shall meet the follow criteria: (a) One permanent sign shall be allowed.	(1) The Board shall consist of five (5) members shall be residents the City of Fort Wayne or properly owners and	ers .
Charge !	(b) The area of a permanent window sign will limited to twenty-flve (25) percent of each window area except in the cooperator.	member shall also be a member of the Fort Wayna C Plan Commission, two members shell own or lea property within the Calhoun Sign District, and to	1.00
Т	(6) Awnings and Awning Signs shall meet following criteria: (a) Awnings shall be mede of canvas, vinyl-coacenyas, wowap acrylic or other with his shall be received.	design, graphic arts, or a related tield. No member she employed by the City of Fort Wayna. (2) Terms of Board members shall be staggered tollows: two (2) members for three (3) years, two (1) members for two (2) years, two (1) members for two (2) years, two (2) years, two (3) years, two (4) years, two (5) years, two (6) years, two (7) years, two (7) years, two (8) years, two (8) years, two (8) years, two (9) years, two (1) years, two (2) years, two (2	as \$
DATA FOR COMPU.	Metal, plastic, or other rigid materials are prohibi unless an integral part of the original dasign of building. (b) Signs must be painted, printed, stamped up or otharwise made integral to the awning. (c) The lower ed	of three (3) years. A vacancy shall be filled through	n m gh
Width ((c) The lower edga of any awning shall be at leseven (7) teet above the sidewalk. (d) An awning or awning sign shall not project methan six (6) teet from the building tacade. (7) Directory Signs shall meet the following criteria:	C. Organization (1) The Board shall elect from its members	ນt. apoint ຄອ
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Notice is hereby given that on the November, 1984, the Common Counfort Wayne, Indiana, in a Reguler Sest following Bill No. G-84-11-21 - General G-35-84 to-wilt	(6) Blinking, flashing, or moving signs other the barber coles. (7) Banner Signs, except those that are an integrible to the Mall's hanner pulpes.	kept. (5) The Board shall edopt rules consistent with thi	s , and that no part of the same
AN ORDINANCE adding a chapter to	(8) Obsolete signs - Any sign which edvertises of reletes to a business no longer on the premise shall be required to be removed within one month of the time the business vacates the building. The owner the building shall be rasponsible for accomplishinths.	to a procedure for the calling of speciel meetings. (6) An official action of the Board shall require a consensus of a majority of its members. A quorum of the calling of the consensus of a majority of its members. A quorum of the calling of speciel meetings.)
Mall. WITNESSETH: WHEREAS, the City has developed the	(9) Trademark signs, unless the trademar rapresents the principla product or service sold of conducted on the premises.	by the Common Council of the City of Fort Wayne. D. Powers of the Board - The Board shall have the	***************************************
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NOW, THEREFORE, BE IT ORD. COMMON COUNCIL OF THE C WAYNE, INDIANA:	itendards set forth in this ordinance shell Immediately set its legel status if: (1) The sign is altered in any way in structure or opy (except for changeable copy signs and normal naintenance).	Any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00) less cache et han the subject to a fine than the first than the subject to t	
City of Fort Wayne, Chepter 3-5 et Gtreet Sign and Awning Ordinance."; as follows:	The sign is relocated. The sign is replaced. The sign has not been repaired or properly all intained within one month officers.	Chapter shall be a separate offence, SECTION 3.5-11 - Severability If any section, clause, provision, or portion of this	
Sections: 3.5-1: Purpose end Intent 3.5-2: Applicability	evelopment end Planning or a designated represen- stive. SECTION 3.5-7 - Cartificate of Approval	ordinance shall not be affected thareby. SECTION 3.5-12. This Ordinance shall be in full force and effect upon present the state of th	
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3.5-7: Certificate of Approvel 3.5-8: Sign Review Board 3.5-9: Enforcement	An existing sign can be altered or relocated. A new sign can be constructed and installad.	Ayes: Nine - Bradbury, Burns, Eisbart, GieQuinta, Henry, Redd, Schmidt, Stier, Talerico Nays: None	, the dates of publication being
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the intent of this Ordinance builded business identification, communication while creating a	e following: (1) Plans showing the placement of the sign on the iliding on which it will be located. (2) A rendering of the sign drawn to scale showing a grea, dimensions, materials, color, and character	et the hour of 11:30 o'clock A.M., E.S.T.	ember 19 84
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e governed by the standards and rest this Ordinance. SECTION 3.5-3 - Establishment o	tical distance between the awning and the ewalk, and the horizontel distance from the outside to the awning to the building facade must be	I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-35-84 passed by the Common Council on the 27th day of November 1984, and that could crim the	
The aree of Calhoun Street betwood Washington Street shall be known treet Sign District. The boundarie shall be more particularly described.	olication, the Sign Review Board shell consider the bowing:	day of Novamber, 1984, and now remains on file and on record in my office. Witness my hand, and the official social at the City of	
28, 129, 130, 131, and the aast 20 fe 38, 188, 189 and 190 of Original Pla 7, 189, 189, 189 and 190 of Original Pla	2) The clarity and legibility of the sign's sagge.	Fort Wayne, Indiana, this 29th day of November, 1984. Sandra E. Kennedy, City Clerk	

Fort		Common	Council
	(Government		
Aller	1	C	ounts: IN
 			bunty, III

ToJOURNAL-GAZETTE	Dr.
P.O. BOX 100	
FORT WAYNE, INDIANA	

		PUBLISHER'S CLAIM	
LINE COUNT			
	Display Matter (Must not of the type in which	exceed two actual lines, neither of which shall total more than four solid lines the the body of the advertisement is set) - number of equivalent lines	
	Head number of lin	ies	1
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	Tail number of line	-8	2
	Total number of	of lines in notice	465
COMPUTION	OF CHARGES		
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and his m	ond, notified the In		, the dates of publication being
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Fort Wayne Common Council (Governmental Unit)

Allen County, IN To NEW-SENTINEL Dr. P.O. BOX 100 FORT WAYNE, INDIANA

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Total number

COMPUTION OF CHARGES

...... lines, .. cents per li

Additional charge for no

LEGAL NOTICE

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(d) Where a signboard aree exists, the sign shall be placed on the signboard area between the ground floor and second story.

(e) Businesses on upper floors shall be limited to a non-luminous wall sign not to exceed four (4) equare feet in area.

(5) Window/Door Signs shall meet the following.

Charge for extra proofs (2) Window/Door Signs shell meet the following criteria:

(a) One permanent sign shall be allowed per window or door.

(b) The area of a permenent window sign will be limited to twenty-five (25) percent of each window area, except in the case of a door sign which may be fifty (50 percent of the gless area.

(a) Awnings and Awning Signs shall meet the following criteria:

(a) Awnings shall be made of canvas, vinyl-coated canvas, woven acrylic, or other rigid materiels are prohibited unless an integrel part of the original design of the building.

(b) Signs must be painted, printed, stamped upon, or otherwise made integral to the awning.

(c) The lower edge of any awning shall not project more than six (6) feet from the building tacade.

(7) Directory Signs shall meet the following criteria:

(a) One permanent sign per building.

(b) The sign shell be flush-mounted and no larger than four (4) square feet.

C. Prohibited Signs.

(2) Roof signs.

C. Pronibited signs.

(1) Projecting Signs.
(2) Roof signs.
(3) Billboards and other off-premise signs.
(4) Free-standing signs, except as part of a special ant.

(5) Signs that are painted directly on a building surface.

surface.

(6) Blinking, flashing, or moving signs of the barber cooles.

(7) Banner Signs, except those that are an integral part of the Mall's benner pylons.

(8) Obsolete signs - Any sign which advertises or relates to a business no longer on the premise shall be required to be removed within one month of the time the business vacates the building. The owner of the building shell be responsible for accomplishing this.

the building shell be responsible for accomplishing this.

(9) Trademark signs, unless the trademerk represents the principle product or service sold or conducted on the premises.

SECTION 3.5-6 - Non-Conforming Signs - Any sign located within the Calhoun Street Sign District on the effective date hereof is permitted to remain provided the sign wes authorized by any necessary permits or evariance prior to the date of the passage of this Ordinance, it one was required under any other applicable law.

B. Loss of Legal Non-Conforming Stetus - Not withstanding Section 3.5-6-A, e sign that is prohibited by this ordinance or that does not conform to the standards set forth in this ordinance shall immediately lose its legal status if:

(1) The sign is altered in any way in structure or copy (except for changeable copy signs and normal maintenence).

(2) The sign is replaced.

(3) The sign is replaced.

(4) The sign has not been repaired or properly maintained within one month after notice to that effect has been given by the Director of Community Development and Planning or a designated representative.

SECTION 3.5-7 - Certificate ot Approval

Development and Pianning or a designated representative:

SECTION 3.5-7 - Certificate ot Approval

A. All signs within the Calhoun Street Sign District that were not atfixed to buildings on the effective date of this Ordinence shall require e Certificate of Approval unless they are exempt under Section 3.5-6-A. Furthermore, a Certificate of Approval is required before:

(1) An existing sign can be altered or relocated.
(2) A new sign can be constructed end installed.

B. Application Procedura - Application for a Certificate of Approval shell be mede to the Department of Community Development and Planning. The application shell be torwarded to the Sign Review Board for consideration at the next regularly scheduled meeting. To help the Board in reviewing the application, the epplicant shall submit the following:

(1) Plens showing the placement of the sign on the building on which it will be loceted.

(2) A rendering of the sign drewn to scale showing the area, dimensions, materiels, color, and character of the sign.

(3) A photograph showing the building in which the

ne area, dimensions, materiels, color, and character of the sign.

(3) Aphotograph showing the building in which the sign will be located and the neighboring buildings.

(4) A cross-section showing the method of festening or supporting the sign.

(5) In the case of an awning or awning sign, the vertical distance between the awning and the sidewalk, and the horizontal distance from the outside edge of the awning to the building tacade must be shown.

462 465 ivalent lines at . 450¢ \$ 209.25 1.00 2 extra \$ 210.25 point , after allowing all just credits, and that no part of the same

ISHER'S AFFIDAVIT

tary public in and for said county and state, the
OSE who, being duly sworn, says
of the
newspaper of general circulation printed and published
ORT WAYNE, INDIANA
t the printed matter attached hereto is a true copy,
IWO times , the dates of publication being

Title CLERK

Drusilla Hoose

14/84			
	Daniell		
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7/ day of	December 1	19 84	
nne M	(Robbin		

Perkins Notary Public

29, 1985

Fort Wayne Common Council

(Governmental Unit)

Allen County, IN

NEW-SENTINEL Dr. P.O. BOX 100 FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Subdivision 1, 2, 3, 4, 5, 8 of Lot 106, lots 107, 108, 128, 129, 130, 131, and the east 20 feet of lot 132, 167, 168, 188, 189 and 190 of Original Plat; lots 1, 2, 3, 4, 5, 6, 7, 8 of Schmitt's Subdivision; lots 1, 2, 3, 4, 5, 6, 7, 8 of Schmitt's Subdivision end shall extend to the centerline of all contigious public right-of-way of said lots. See attached map made a part hereof.

SECTION 3.5-4 - Definitions
For the purpose of this ordinance, the following words and terms are defined:

A. "Awning" - A rooflike cover extending before a building that is not permanently affixed to the building.

B. "Certificate of Approval" - A document showing."

In the compliance of the sign with the provisions of this ordinance.

(2) The clarity and legibility of the sign's message.

(3) The relationship and compatibility of the sign with adjacent structures and public spaces.

D. Approval of Application. Once the sign application has been reviewed end approved by the Sign Review Board, a Certificate of Approval will be sizued. An approval message.

royal.

"Sign" - Any name, Identification, description, lay, logo, or symbol which is affixed to, hung on, ted, represented directly or indirectly upon utilding (Including a window/door area) or cture which is in view of the general public and chidrects attention fo a person, place, product, vity, institution, organization, or business. Included in the definition of sign are the following types of st

signs:
(1) Awning Sign - Any sign which is located on an

signs:

(1) Awning Sign - Any sign which is located on an awning.

(2) Banner Sign - Any sign made of lightweight material either enclosed or not enclosed in a rigid frame, which may allow the movement of the sign by the air.

(3) Building Identification Sign - Any sign which states only the name of the building Itself end Is an integral part of the architecture.

(4) Business Identification Sign - Any sign which states only the name of the building Itself end Is an integral part of the architecture.

(5) Construction Sign - Any sign which identifies the person, the establishment, the principal product and/or service available at a business.

(5) Construction Sign - Any sign giving the name (s) of architects, confractors, tinanciers, and others responsible for the construction on the site where the sign is placed.

(6) Copyrighted Signs - Any sign offering information or incidental services such as VISA, MasterCard, AAA, PSLIC, etc.

(7) Directory Sign - Any sign on which the names and locations of occupants is given.

(8) Freestanding Sign - Any sign which is not affached to a building but is supported on poles, frames, or other similar structures. The sign may or mey not be portable.

(9) Off-Premise Sign - Any sign located on premises other than those of the business or activity it is intended to describe or identify.

(10) Permanent Sign - Any sign intended to be erected and maintained for more fhan thirty (30) days.

erected and maintained for more man thirty (ou) days.

(11) Projecting Sign - Any sign which projecta from and is supported by, or attached to, a wall, roof, or canopy of a building.

(12) Real Estate Sign - Any sign which is used to offer for sale or lease the property upon which the sign is located.

(13) Roof Sign - Any sign erected entirely upon or over the roof of any building and supported solely on the roof structure.

(14) Temporary Sign - Any sign fhaf is erected and maintained for not more than thirty (30) days, except for temporary business identification signs which shall be allowed for sixty (60) days.

(15) Trademark Sign - Any sign which shows registered trademarks or portrayals of specific commodities.

officiency fractionard of portrayard of spotso-ormodities.

(16) Wall or Flat Sign - Any sign aftached to and rected parallel to the building face. This includes idividual letters applied to the building face.

(17) Window/Door Sign - Any permanent sign ainted, gold-leafed, or attached onto the glass area or istalled behind a window for viewing through the vindow from the outside of the premises.

SECTION 3.5-5 - Sign Classification and Design Oriferia

window from the outside or the premises.
SECTION 3.5-5 - Sign Classification and Design Criteria
A. Permitted Signs - No Certificate of Approval Necessary.

(1) Building Identification Signs - One sign per building provided the sign does not exceed three (3) square feet in area.

(2) Construction Signs - One sign per building or site which is under construction, structural alteration, or repair provided the sign shall not exceed nine (9) square feet in area. Sign shall be removed within seven (7) days after completion of construction, structural alteration, or repair.

(3) Copyrighted Signs - These shall be eggregated together and placed in an unobtrusive location on a window or door area of a business.

(4) Placques - Commemorative or historical placques not to exceed three (3) square feef in area.

(5) Public Signs - Commemorative or historical placques not to exceed three (3) square feef in area.

acques not to exceed three (s) square reer in ea.

(6) Real Estate Signs - One sign per property for ale, rent, lease, or exchange of property not to exceed ine. (9) square feet in area. Signs shall be removed ithin seven (7) days of agreement concerning sale, ent, lease, or exchange of property.

(7) Temporary Signs (e) Special Event - Non-electric femporary signs asels, etc., for use during a special Mall-wide event uch as an art show, bargain days or the like shall e allowed only during the event or sele. Signs must be onstructed in a sturdy fashion and placed so as not to need e pedestrian circulation. Signs must be devent in the side at the end of each business day during the event.

ent.

(b) Window Signs and Displays - Any sign/display mporarily attached to a window and displayed to cell tention to a temporary sale of merchandise, ange in status of business, grand opening, or the e.

like.

(c) Business Identification Sign - Any temporery sign erected while a business is undergoing construction or renovation which prohibits placement of a permanent sign until a lafer date. The temporary sign may not exceed the anticipated size of the permanent sign. If a temporary business identification sign should remain longer than sixty (60) days, a Certificate of Approval shall be required.

B. Permilted Signs - Certificate of Approval Necessary.

3. Permilted Signs - Certificate of Approval cessary.

(1) A Certificate of Approval is required for all signs to permitted by Section 3.5-5-A and not prohibited Section 3.5-5-C.

(2) Permitted signs shall only identify the person, establishment, the principal product, and/orvice aveilable on the premises which contains the premises.

(2) The clarity and legibility of the sign's message.

(3) The relationship and compatibility of the sign with the character of the building on which it will be located.

(4) The reletionship and compatibility of the sign with adjacent structures and public spaces.

D. Approval of Application. Once the sign application has been reviewed end approved by the Sign Review Board, a Certificate of Approval will be issued. An approval may be limited by conditions thet the Board deems necessary to cerry out the intent of this Ordinance.

E. Denial of Application. If the Board denies a sign application, a Certificate of Approval will not be issued. The Board must slate its reesona in writing and advise the applicant.

E. Denial of Application. If the Board denies a sign application, a Certificate of Approval will not be issued. The Board must state its reesona in writing and advise the applicant.

SECTION 3.5-8 - Sign Review Board

A. Creation - A Sign Review Board is hereby creafed and established by this Ordinance. The word "Board" when used in this section shall be construed to mean the Sign Review Board.

B. Membership

(1) The Board shall consiat of five (5) members appointed by the Mayor. Members shall be residents of the City of Fort! Wayne or property owners and/or tenants within the Calhoun Street Sign District. One member shall also be a member of the Fort Wayne City Plan Commission, two members shall own or lease property within the Calhoun Sign District, and two members-at-large shall be knowledgeable in sign design, graphic arts, or a related field. No member shall be employed by the City of Fort Wayne.

(2) Terms of Board members shall be staggered as follows: two (2) members for three (3) years, two (2) members for three (3) years, and one (1) member of one (1) year commencing on and expiring on . Thereafter, voting members shall be affiled through appointment by the Mayor only for the unexpired duration of the term.

(3) Members of the Board shall serve without compensation.

C. Organization

(1) The Board shall hold regular meetings, at least monthly, except when if has no business pending. Special meetings may be celled in e manner determined by the Board in its rules.

(3) Technical assistance for the Board shall be provided by the Department of Community Development and Planning.

(4) All meetings of the Board shall be open to the public and a public record of the record of the Soard's resolutions, proceedings, end actions shall be kept.

(5) The Board shall edopt rules consistent with this ordinance for the transaction of its business. The rules reball include the the following:

resolutions, proceedings, end actions shall be kept.

(5) The Board shall edopt rules consistent with this ordinance for the transaction of its business. The rules shall include, but not be ilmited to, the following:

a. time and place of regular meefinga
b. a procedure for the calling of special meetings.
(6) An official action of the Board shall require a consensus of a majority of ifa membera. A quorum of three (3) members must be present for the Board to fake action.

(7) Any person or party aggrieved by a decision or action taken by the Board shall be entitled to a review by the Common Council of the City of Fort Wayne.

D. Powers of the Board - The Board shall have the power and dufy to hear and decide sign proposals within the Calhoun Streef Sign District. The Board shall be concerned with those elements of sign design and installation as set forth in this Ordinance and the Design Manual adopted by the Board.

SECTION 3.5-9 - Enforcement

If shall be the duty of the Director of Community Development and Planning or a designated representative to report possible violations hereof to the City Attorney.

SECTION 3.5-10 - Penalfies

Development and stative to report possible violations hereof to the City Attorney.

SECTION 3.5-10 - Penalfies
Any person who violates any provision of this ordinance shall, upon conviction, be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00) for each offence. Each day of the existence of any violation of this Chapter shall be a separate offence.

SECTION 3.5-11 - Severability
If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

SECTION 3.5-12. This Ordinance shall be in full force and effect upon passage and approval by the Mayor, and legal publication thereof.
Janet G. Bradbury, Councilmember Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placad on Ita passage. PASSED by the following vote:

Aves: Nine - Bradbury, Burns, Elsbart, GlaQuinta,

olacad on Ita passage. PASSED by the following ole:
Ayes: Nine - Bradbury, Burna, Elsbart, GiaQuinta, tenry, Redd, Schmidf, Stier, Talarico
Nays: None
Date: 11-27-84
Sandra E. Kennedy, Cify Clerk
Passed and adopted by the Common Council of the ity of Fort Wayne, Indiana, as General Ordinance No.
-35-84 on the 27th day of November, 1984.
Attest: Sandra E. Kennedy, City Clark
Ben A. Elsbart, Presiding Officer
Presented by me to the Mayor of the City of Fort layne, Indiana, on the 28th day of November, 1984, it he hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy, City Clerk
Approved and signed by me fils 29th day of ovember, 1984, at the hour of 1984, at the hour of 1984, at the hour of 1984, it he hour of 1984, at the hour of 11:00 o'clock A.M.

E.S.T.
Win Moses, Jr., Mayor
I. The Clerk of the City of Forf Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance, No. G-35-84 passed by the Common Council on the 27th day of November, 1984, and that said Ordinance was duly signad and epproved by the Mayor on the 29th day of November, 1984, and now remains on file and prescored in my office.

day of November, 1984, and now remains on file and on record in my office. Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of November, 1984.

Sandra E. Kennedy, City Clerk

Drusille Hoose day of December 19 84 me M. Alkins Perkins Notary Public 29, 1985

DRT WAYNE, INDIANA

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Drusilla Rosse

TitleCLERK

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...... newspaper of general circulation printed and published

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		General Form No. 99P (Rev. 1967)
m Prescribed by State Board of Accounts		
Fort Wayne Common Co	ouncil	To
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Allen Coun		A.
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in state and county aforesaid, and that the printed matter attached hereto is a true copy,

in the English language in the city town of FORT WAYNE, INDIANA